

STATE BOARD MEETING DATE October 27, 2008

SUBJECT: Consideration of Review Case No. C-2008-037R, John B. Dugan

SUBMITTED BY: Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education

MANAGEMENT TEAM REVIEW: October 09, 2008

BACKGROUND INFORMATION:

John B. Dugan applied for Secondary certificate on July 10, 2008. On his application, he disclosed that he was arrested in November, 2005, and charged with possession of marijuana. He was notified by the Investigative Unit that his application required a review by the Professional Practices Advisory Committee ("the PPAC") of the State Board of Education ("the Board").

On September 9, 2008, the PPAC conducted a review of Mr. Dugan's application. The following information was presented and considered by the committee:

- Mr. Dugan served four years in the Marine Corps, receiving an honorable discharge.
- He graduated from college in 2001 and taught at a parochial high school for four years. It was at about that time that his marriage ended in divorce. He later discovered that at that time, he was suffering from undiagnosed depression. From approximately 2005 to 2007, he worked intermittently.
- Sometime during 2005, he failed to pay a traffic ticket. In October, 2005, he was stopped for having an expired license plate and discovered that his driver's license had been suspended for failure to pay the ticket. He was issued a ticket for having an open container of alcohol in the vehicle. He paid a fine and the matter was resolved.
- The marijuana incident occurred in November, 2005. Mr. Dugan stated that he was carrying a duffel bag that belonged to his roommate and that he was not aware that the bag contained rolling papers and marijuana residue. He was issued a citation and ordered to appear in court. He stated that at that time, he was trying to come to grips with an addiction to gambling and did not address the citation.
- He was arrested for failure to appear in response to the citation for marijuana possession. He was released on condition that he pay a fine, complete a substance abuse education class, and satisfactorily complete three months of random drug testing through the TASC program. He successfully completed the requirements and the conviction for marijuana possession was vacated.
- In January, 2007, he was directed into a counseling and treatment program called ACT. He was involved for one and a half years. ACT included a 12-week prevention relapse

program, a 24-week group which focused on actualizing change, and an additional 12-week group which focused on long term recovery. He also received one-on-one counseling and attended regular meetings of Gamblers Anonymous.

- From January 2007 through the present, Mr. Dugan has worked as a substitute teacher in the Cartwright School District, subbing for classes K-8. This included working six consecutive months as a first grade teacher at Palm Lane Elementary School. He accepted a contract to work fulltime as a 7th grade science teacher at Raul Castro Middle School, beginning in July, 2008.

The PPAC made its recommendation to issue certification, by a vote of 4 to 1, based upon the following:

Aggravating factors:

Potential problems on the education community of use of marijuana
Recentness of the incident

Mitigating factors:

Letters of recommendation, including those from current teachers and former principal
Candor exhibited before the Committee
Successful completion of the TASC monitoring program and probation
Continued attendance, of own volition, at Gamblers Anonymous

Dissenting vote: Committee member wanted to see a longer period of time of success since the incident.

**BOARD ACTION REQUESTED: [] INFORMATION [] ACTION/DESCRIBED
BELOW:**

That the Board **accept** the findings of fact, conclusions of law and recommendation and grant **Mr. Dugan's** application for certification.

ATTACHMENTS: YES [X] NO []